

In 2016, the Kyrgyz Republic made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government adopted the Interagency Action Plan on Measures to Prevent the Involvement of Children in the Worst Forms of Child Labor. The Bishkek Mayor's Office also began funding evening remedial classes for thousands of child laborers. However, children in the Kyrgyz Republic engage in the worst forms of child labor, including in commercial sexual exploitation and illicit activities. Research indicates that the State Inspectorate on Ecological and Technical Safety did not conduct inspections to ensure compliance with legal minimum age protections. The compulsory education age also remained lower than the minimum age to work.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in the Kyrgyz Republic engage in the worst forms of child labor, including in commercial sexual exploitation and illicit activities.(1-6) Table 1 provides key indicators on children's work and education in the Kyrgyz Republic.

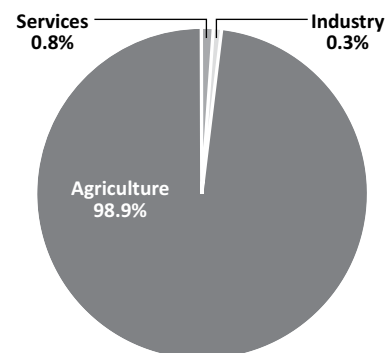
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	33.9 (397,407)
Attending School (%)	5 to 14	86.5
Combining Work and School (%)	7 to 14	41.0
Primary Completion Rate (%)		105.0

Source for primary completion rate: Data from 2014, published by UNESCO Institute for Statistics, 2016.(7)

Source for all other data: Understanding Children's Work Project's analysis of statistics from National Child Labor Survey, 2014.(8)

Figure 1. Working Children by Sector, Ages 10-14



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Cultivating cotton, tobacco,† rice, potatoes, sugar beets, and wheat (4, 9-16)
	Raising cattle and sheep (4, 12-14, 16)
Industry	Coal mining† (4, 13-15, 17)
	Brick making (4, 13, 14, 16)
	Construction, including lifting and portering construction materials, and cutting metal sheets for roofs (4, 14, 16, 17)
Services	Working in bazaars, including loading and unloading goods, portering, collecting plastic bottles and garbage, and selling items, including food and newspapers (1, 3, 9, 11, 15, 16, 18-21)
	Washing cars (1, 11, 16)
	Working in restaurants and cafes, including serving food and washing dishes (9, 13, 16, 22)
	Street work, including begging and shoe shining (1, 2, 13)
	Domestic work, including child care (2, 3, 10, 15)

Table 2. Overview of Children’s Work by Sector and Activity (cont)

Sector/Industry	Activity
Categorical Worst	Forced labor in raising cattle and sheep, sometimes as a result of human trafficking (4, 15)
Forms of Child Labor [†]	Commercial sexual exploitation, sometimes as a result of human trafficking (1-5)
	Use in illicit activities, including trafficking drugs as a result of human trafficking (5, 6)

[†] Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.




[‡] Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Hazardous child labor is most prevalent in the *oblasts* (provinces) of Naryn and Osh.(17) There is limited evidence that some children migrate with their families to work in the cotton fields in Kazakhstan.(23) Some parents migrate to work in Kazakhstan, Russia, or other areas of the country and leave their children behind, oftentimes without birth certificates and guardianship documents. As a result, some of these children cannot enroll in school and are vulnerable to the worst forms of child labor.(9, 13, 18, 24) While the number of ethnic Lyuli, a subgroup of the Roma people living in Central Asia in the Kyrgyz Republic is low (approximately 3,500), many children from this community do not attend school and are vulnerable to child labor.(6, 18, 25) Children with disabilities and those living and working on the street also have difficulty accessing education.(4, 18, 20) Schools requiring residence registration, known as *propiska*, for enrollment may also hinder access to education; however, according to the Ministry of Education and Science, residence registration is not mandatory.(3, 4, 10)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

The Kyrgyz Republic has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4). However, gaps exist in the Kyrgyz Republic’s legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	Legislation
Minimum Age for Work	No	16	Article 18 of the Labor Code (26)
Minimum Age for Hazardous Work	Yes	18	Article 294 of the Labor Code; Article 15 of the Code on Children (26, 27)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 294 of the Labor Code; Decree 314; Annex I of Decree 548 (26, 28, 29)
Prohibition of Forced Labor	Yes		Article 10 of the Labor Code; Article 15.2 of the Code on Children; Article 1 of the Law on Preventing and Combating Human Trafficking; Article 124 of the Criminal Code (26, 27, 30, 31)

Table 4. Laws and Regulations on Child Labor (cont)

Standard	Meets International Standards: Yes/No	Age	Legislation
Prohibition of Child Trafficking	No		Article 1 of the Law on Preventing and Combating Human Trafficking; Article 124 of the Criminal Code (30, 31)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 157 of the Criminal Code; Articles 5 and 15 of the Code on Children (27, 30)
Prohibition of Using Children in Illicit Activities	Yes		Articles 157, 247, 249, and 375 of the Criminal Code; Articles 5 and 15 of the Code on Children (27, 30)
Minimum Age for Military Recruitment			
State Compulsory	Yes	18	Articles 17.1 and 22.1 of the Law on Military Service (32)
State Voluntary	Yes	18	Article 24.1 of the Law on Military Service (32)
Non-State Compulsory	Yes	18	Articles 124, 226-2, 229, and 375 of the Criminal Code (30)
Compulsory Education Age	No	15 [‡]	Article 16 of the Law on Education (33)
Free Public Education	Yes		Article 16 of the Law on Education (33)

‡ Age calculated based on available information

According to Article 6 of the Labor Code, protections, such as the minimum age of employment and prohibitions on hazardous work, are not extended to children engaged in non-contractual employment.(26) Most incidences of child labor occur in employment relationships in which the child has no signed employment contract with the employer.(9, 12)

Although the Kyrgyz Republic has ratified the Palermo Protocol, which necessitates waiving requirements related to the use of force, deception, or fraud for child victims of human trafficking, both the Law on Preventing and Combating Human Trafficking and the Criminal Code require these elements during the human trafficking process.(30, 31) The Government drafted a revised list of hazardous work for children in 2011, which remained under review.(16, 34)

Children in the Kyrgyz Republic are required to attend school only until grade nine, which is typically until they reach age 14 or 15.(9, 10, 35) This standard makes children ages 14 and 15 vulnerable to child labor because they are not required to be in school, but they also are not yet legally permitted to work.

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5). However, gaps in labor law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
State Inspectorate on Ecological and Technical Safety	Monitor work sites and refer child laborers to social services. Coordinate with the Inspectorate for Minors' Affairs in the Ministry of Internal Affairs, the Prosecutor General's Office, and regional State District Administration authorities to enforce child labor laws.(36)
Ministry of Internal Affairs, Inspectorate for Minors' Affairs	Enforce criminal laws related to child labor, including its worst forms; conduct independent inspections and joint raids with the State Inspectorate on Ecological and Technical Safety to find neglected or abused children; and refer children to social institutions for care.(36)
Prosecutor General's Office	Enforce and apply labor-related laws, including labor inspections and investigations of child labor violations, in coordination with the State Inspectorate on Ecological and Technical Safety.(36, 37)
<i>Oblast</i> Administration	Enforce child labor laws at the <i>oblast</i> level.(36)
Ministry of Labor and Social Development	Serve as the key government agency for children's issues. Charged with protecting children and families in difficult conditions, including child laborers.(6) Coordinate with <i>oblast</i> -level authorities to investigate violations of child labor laws.(38)

Kyrgyz Republic

MODERATE ADVANCEMENT

Labor Law Enforcement

In 2016, labor law enforcement agencies in the Kyrgyz Republic took actions to combat the worst forms of child labor.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown	Unknown
Number of Labor Inspectors	23 (20)	23 (16)
Inspectorate Authorized to Assess Penalties	Yes (20)	Yes (16)
Training for Labor Inspectors		
Initial Training for New Employees	Unknown	Unknown
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	No (34)	No (16)
Number of Labor Inspections	Unknown (25)	Unknown (16)
Number Conducted at Worksite	Unknown (25)	Unknown (16)
Number Conducted by Desk Reviews	Unknown (25)	Unknown (16)
Number of Child Labor Violations Found	Unknown (25)	31 (39)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (25)	Unknown (16)
Number of Penalties Imposed that Were Collected	Unknown (25)	Unknown (16)
Routine Inspections Conducted	Unknown (25)	Unknown (16)
Routine Inspections Targeted	Unknown (25)	Unknown (16)
Unannounced Inspections Permitted	No (20)	No (16)
Unannounced Inspections Conducted	N/A	N/A
Complaint Mechanism Exists	Yes (20)	Yes (16)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (40)	Yes (16)

The number of labor inspectors is insufficient for the size of the Kyrgyz Republic's workforce, which includes over 2.7 million workers.⁽⁴¹⁾ According to the ILO's recommendation of 1 inspector for every 20,000 workers in transitioning economies, the Kyrgyz Republic should employ roughly 132 labor inspectors.^(20, 42, 43) The State Inspectorate on Ecological and Technical Safety acknowledged that the number of labor inspectors was inadequate to ensure appropriate enforcement of child labor laws.⁽²⁰⁾

Criminal Law Enforcement

In 2016, criminal law enforcement agencies in the Kyrgyz Republic took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown	Unknown (16)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown	N/A
Refresher Courses Provided	Unknown	No (16)
Number of Investigations	0 (34)	2 (39)
Number of Violations Found	0 (34)	2 (39)
Number of Prosecutions Initiated	N/A (34)	2 (39)
Number of Convictions	N/A (34)	0 (16)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (40)	Yes (16)

The UN special rapporteur on the sale of children, child sex trafficking, and child pornography documented allegations of law enforcement officials' complicity in human trafficking in a 2013 report; police officers allegedly threatened, extorted, and raped child sex trafficking victims. However, the government has never investigated the allegations from this report, nor did it report the investigation, prosecution, or convictions of government employees complicit in human trafficking offenses.(44)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Coordination Council for Social Protection and Children's Rights	Develop policies to eliminate child labor.(34) Chaired by the Deputy Prime Minister, members include representatives from four ministries, including Labor and Social Development.(45, 46) Met quarterly in 2016.(16)
Coordination Council on Migration*	Monitor and combat trafficking in persons as a key priority. Chaired by the Deputy Prime Minister for Social Issues, members include representatives from the Office of the President, Government ministries, international organizations, and NGOs.(47) Met three times in 2016, with one session devoted to human trafficking, aimed at improving Government coordination on this issue.(47)

* Mechanism to coordinate efforts to address child labor was created during the reporting period.

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor*

Policy	Description
Interagency Action Plan on Measures to Prevent the Involvement of Children in the Worst Forms of Child Labor (2016–2018)†	Aims to address the worst forms of child labor by identifying children at risk of child labor, including those in difficult living conditions; providing social services; conducting awareness-raising campaigns, including seminars for social pedagogues and forums for children and their parents on hazardous work; sharing experiences and best practices with international organizations and NGOs; and creating a manual on child protection for labor inspectors.(16, 48)
Regulations on the Procedure for the Identification of Children and Families in Difficult Conditions	Establishes the process for identifying children in difficult living conditions, including those engaged in the worst forms of child labor. Receives complaints, conducts outreach activities, devises an individual action plan, removes the child from the worst forms of child labor, and provides financial and educational services.(40) Research was unable to determine whether activities were undertaken to implement this policy during the reporting period.
National Program Against Human Trafficking and Action Plan for the Implementation of the Program (2013–2016)	Aims to provide protection to children at risk of becoming victims of labor, criminal, or commercial sexual exploitation.(36) Was not implemented during 2016.(5)

† Policy was approved during the reporting period.

‡ The Government had other policies that may have addressed child labor issues or had an impact on child labor.(36)

The Government has not included child labor elimination and prevention strategies in the National Education Strategy and Roadmap on Out-of-School Children.(35, 49)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor[†]

Program	Description
Combating Child Labor in Central Asia -Commitment Becomes Action (PROACT CAR Phase III) (2010–2018)	\$4.57 million Government of Germany-funded project implemented by the ILO to mainstream child labor issues into national policies and legislation, build the capacity of stakeholders, and provide direct services to children withdrawn from the worst forms of child labor.(49, 50) In 2016, supported the adoption of the Interagency Action Plan on Measures to Prevent the Involvement of Children in the Worst Forms of Child Labor and the integration of child labor issues into other policies.(51)
Evening Classes for Child Laborers [‡]	ILO and Ministry of Education and Science project to provide evening classes to secondary school students in districts with high numbers of child laborers. Includes weekly or biweekly family consultations with social workers who observe the children and provide parents with information about hazardous work activities for children.(52) Although the ILO stopped funding the classes in Bishkek and Osh in 2016, Bishkek's Mayor's Office provided funding for the schools in Bishkek, while evening classes in Osh were on hold.(16) In Bishkek, one school began offering remedial classes to thousands of child laborers.(53)
Social Support for Children and Families in Difficult Living Conditions [†]	Government-funded program to monitor places where children may be working, with a primary focus on bazaars, and to return these children to school.(38) Research did not find information about the number of children assisted in 2016.
Cash Transfer Program [†]	Cash transfer program for families living in difficult conditions, including families with children engaged in child labor.(34) Research did not find information about the number of children assisted in 2016.(16)
Ministry of Education and Science National School Attendance Database [†]	Ministry of Education and Science project to pilot national electronic database to track children who do not attend school. Following development and use throughout the country, database information will be shared with the Ministry of Labor and Social Development to assist children engaged in child labor.(10) Will provide information to the Ministry of Internal Affairs on cases of criminal violations of child labor laws. In addition, social pedagogues will also work with families to ensure that children attend school.(10) In 2016, the pilot Database in Bishkek was no longer operational, partially due to pending changes to the definition of out-of-school children.(39)
Awareness-Raising Campaign [†]	Joint campaign of the Ministry of Labor and Social Development and the Ministry of Education and Science to raise awareness on child labor, called "No to child labor, Yes to quality of education." Consisted of roundtables in 2016.(16)

[†] Program is funded by the Government of the Kyrgyz Republic.

[‡] The Government had other social programs that may have included the goal of eliminating or preventing child labor, including its worst forms.(25, 53)

Although the Kyrgyz Republic has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem, particularly in cultivating cotton and selling items in bazaars.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in the Kyrgyz Republic (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law's minimum age provisions and hazardous work prohibitions apply to all children, including those working without a signed employment contract.	2014 – 2016
	Ensure that child trafficking laws do not require an element of force or deception and are in accordance with international standards.	2015 – 2016
	Increase the age for compulsory schooling to 16, the minimum age to work.	2014 – 2016
Enforcement	Publish information about the funding of the State Inspectorate; the training system for labor inspectors and criminal investigators; the number of labor inspections, including those conducted at worksites or by desk review; the number of penalties imposed and collected; and information about whether inspections are routine or targeted.	2011 – 2016
	Strengthen the labor inspection system by permitting and conducting unannounced inspections.	2014 – 2016
	Increase the number of labor inspectors to meet the ILO recommendation and provide inspectors with adequate training and resources to conduct inspections.	2012 – 2016
	Ensure that criminal law enforcement agencies investigate and prosecute violations related to the worst forms of child labor.	2015 – 2016

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Government Policies	Implement the Regulations on the Procedure for the Identification of Children and Families in Difficult Conditions.	2016
	Integrate child labor elimination and prevention strategies into the National Education Strategy and the Roadmap on Out-of-School Children.	2015 – 2016
Social Programs	Ensure that all children have access to free education, including children with disabilities, those living and working on the street, and those without birth certificates.	2009 – 2016
	Implement all social programs, including the School Attendance Database and programs for families living in difficult conditions.	2016
	Expand existing programs to address the scope of the child labor problem, particularly in cultivating cotton and selling items in bazaars.	2014 – 2016

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42. ILO. *Strategies and Practice for Labour Inspection (GB.297/ESP/3)*. Geneva, Committee on Employment and Social Policy; November 2006. <http://www.ilo.org/public/english/standards/relm/gb/docs/gb297/pdf/esp-3.pdf>. Article 10 of ILO Convention No. 81 calls for a "sufficient number" of inspectors to do the work required. As each country assigns different priorities of enforcement to its inspectors, there is no official definition for a "sufficient" number of inspectors. Amongst the factors that need to be taken into account are the number and size of establishments and the total size of the workforce. No single measure is sufficient but in many countries the available data sources are weak. The number of inspectors per worker is currently the only internationally comparable indicator available. In its policy and technical advisory services, the ILO has taken as reasonable benchmarks that the number of labor inspectors in relation to workers should approach: 1/10,000 in industrial market economies; 1/15,000 in industrializing economies; 1/20,000 in transition economies; and 1/40,000 in less developed countries.
43. UN. *World Economic Situation and Prospects 2012 Statistical Annex*. New York; 2012. http://www.un.org/en/development/desa/policy/wesp/wesp_current/2012country_class.pdf. For analytical purposes, the Development Policy and Analysis Division (DPAD) of the Department of Economic and Social Affairs of the United Nations Secretariat (UN/DESA) classifies all countries of the world into one of three broad categories: developed economies, economies in transition, and developing countries. The composition of these groupings is intended to reflect basic economic country conditions. Several countries (in particular the economies in transition) have characteristics that could place them in more than one category; however, for purposes of analysis, the groupings have been made mutually exclusive. The list of the least developed countries is decided upon by the United Nations Economic and Social Council and, ultimately, by the General Assembly, on the basis of recommendations made by the Committee for Development Policy. The basic criteria for inclusion require that certain thresholds be met with regard to per capita GNI, a human assets index and an economic vulnerability index. For the purposes of the Findings on the Worst Forms of Child Labor Report, "developed economies" equate to the ILO's classification of "industrial market economies; "economies in transition" to "transition economies," "developing countries" to "industrializing economies, and "the least developed countries" equates to "less developed countries." For countries that appear on both "developing countries" and "least developed countries" lists, they will be considered "least developed countries" for the purpose of calculating a "sufficient number" of labor inspectors.
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53. ILO. *Back to School: Remedial Classes for Working Children Begin in Kyrgyzstan*, [Online] October 8, 2016 [cited October 29, 2016]; http://www.ilo.org/moscow/news/WCMS_531727/lang--en/index.htm.